CALIFORNIA RURAL LEGAL ASSISTANCE

MEMORANDUM June 26, 1971

TO: Friends of CRLA

FROM: Cruz Reynoso and Marty Glick

Note from Cruz Reynoso:

As you probably already know, I'll soon be leaving CRLA and Marty Glick was appointed Director by the Board of Trustees on April 17. I'll be teaching law at the University of New Mexico Law School in the fall -- working with young people, future lawyers.

This decision was extremely difficult. I have long worked with CRLA -- as the first Chairman of the Board and for four years on the staff -- because I believe in the goals. Laws have never insured justice, only the opportunity to seek justice, and CRLA has had a part in increasing that opportunity. When I think about what it would be like if CRLA did not exist, I think about my youth picking oranges in Orange County and grapes in Fresno County. We felt angry and frustrated by the injustices but saw no redress. What a difference it would have made to have had CRLA available then. Today we do have CRLA and it does make a difference. I know that CRLA will continue to be an effective organization in providing the Chicano and other rural poor a means to redress their grievances.

Marty has been with CRLA over five years, first as an attorney in our Salinas Office and nearly four years as Director of Litigation in San Francisco. He has been involved in some of our most far-reaching litigation. I share, with the staff and Board, an immense respect for him. Miguel Mendez, formerly with the Mexican-American Legal Defense and Education Fund, has joined CRLA as a Deputy Director -- an invaluable addition.

I want to express my sincere thanks for your support in the past. You, CRLA's friends who have allied yourselves with our clients, have done a great deal to assure our survival. Now, after nearly four years, many battles and many rewards, I leave the staff leadership to Marty and others, and I, too, become a "friend of CRLA."

Note from Marty Glick:

During the months since our refunding, CRLA has been involved in a large number of cases and projects. I am enclosing a brief summary of some of these which I think you might find interesting.

For the past few weeks the program has been involved in establishing State-wide priorities. We feel that CRLA can be one of the most powerful weapons for the poor and Chicano existing in California today. Mobilization of resources of ten offices, the central office, and Sacramento on problems maximizes CRLA's ability to provide help to our clients in their efforts to affect and favorably change their economic and political situations. These priorities are being reviewed and discussed throughout the program both by the communities served by the program and by people who work for the program. Our Board of Trustees plans to consider the views of all of these people and groups in making the final determination on CRLA State-wide priorities.

Also of great interest and concern is the proposal for a National Legal Services Corporation -- a plan to remove Legal Services from the Office of Economic Opportunity and to eliminate political interference with the delivery of legal assistance to the poor. Several plans were introduced in the Congress and after many months of negotiations and compromises the bill was passed. Unfortunately, the President vetoed the bill. Following the reintroduction of the plan, it is again under consideration by the U.S. Congress. The Senate is scheduled to vote on this matter today.

If you have any questions on any matter I have mentioned or other items of interest to you, please let me know.

A testimonial fiesta has been organized to give us all a chance to say good-bye and thank you to Cruz. Not only CRLA but many Californians will miss him. I hope you will be able to attend.

Your support and assistance in the past has meant a great deal to CRLA. I will be pleased if this program can be anywhere near as successful in providing assistance to Chicanos and to other rural poor as we have been with Cruz as Director. I look forward to being in touch with you and working with you in the future.

Not one has anything to do with jail conditions.

CALIFORNIA RURAL LEGAL ASSISTANCE

Gomez v. Del Bianco

This is an action brought on behalf of inmates at the Madera County Jail to require closure of the County Jail built in 1898. A few paragraphs from the complaint vividly describe the lawsuit:

"As early as 1951 the Madera County Grand Jury was condemning the state of the Madera County Jail. In that year it reported that the jail was full of holes gnawed by rats and mice. Exposed wiring, cut wires, broken electrical fixtures, and bad plumbing in the jail were other hazards cited. The Grand Jury indicated that it had been urging renovation for four months without any cooperation from the Board of Supervisors."

"Two years later the Grand Jury toured the jail and stated that the juvenile cell was such a disgrace that '. . .it is doubtful if any farmer would treat his colts and calves in such a careless manner.' The Jury added that the Madera County officials responsible for the terrible conditions in the jail 'have done all in their power to hamper investigations of city affairs'."

"The Madera County Jail received another black mark in a 1961 report submitted by J. R. Dieffenbacher, special agent for the California State Assembly Committee on Criminal Procedure, to Vernon Kilpatrick, Chairman of the California State Assembly Subcommittee on Custodial Institutions. (See Exhibit A, attached hereto and incorporated by reference herein). The report indicated that the cells, expecially Tank 1, were dark, dingy, and unsuitable for reading. Mr. Dieffenbacher wrote that drunks who were thrown into Tank 1 often vomited and defecated in their clothes, creating an unbearable atmosphere for other pre-trial detainees. The fire hazard, the unsanitary conditions, and the absence of an exercise area in the jail were other serious deficiencies noted in the report. These problems still exist today, more than a decade later."

"In the past few months the urgency of the Madera County Jail problem has been brought to the attention of the Board of Supervisors several times. In November of 1971 the State Department of Corrections finally took drastic action by publicly calling the Madera County Jail the worst in the state. Following this censure, the State Fire Marshal denied a fire clearance to the jail in December of 1971 pending compliance with his recommendations. (See December 2, 1971 State Fire Marshal's Report to Sheriff Bates, attached hereto as Exhibit E, and incorporated herein by reference.) Upon reinspection in February 1972 the Fire Marshal found that his recommendations had not been acted upon and made a final denial of clearance. (See February 28, 1972 State Fire Marshal's Report to Sheriff Bates attached hereto as Exhibit F, and incorporated herein by reference.)"

"Prisoners are presently incarcerated in a series of large, dark steel 'tanks' or 'cages' located on the first and second level of the jail. These tanks are approximately 29 feet by 49 feet and are of various heights. Tank 3, also known as the Felony Tank, has a steel ceiling only 6 feet 6 inches from the ground."

"One of the most serious problems of inmate control and safety is to be found in the Receiving Tank, where drunks, persons awaiting trial and persons already convicted of crimes are all confined together in a steel tank approximately 29 feet by 49 feet, with a ceiling of 7 1/2 feet and a capacity of 30 inmates. There is no effective separation for the agressive and assultive individual, the weak or effeminate, the drunk, or the mentally disturbed, in contravention of the

Minimum Jail Standards established by the State Board of Corrections."

Request for preliminary relief will be asked if the Board of Supervisors does not voluntarily close the jail, build a new one, and in the interim house the prisoners in neighboring counties' detention facilities

RAMIREZ, et al. v. EDMUND G BROWN, Jr., et al.

This is a petition for writ of mandate filed in the California Supreme Court which seeks to end the practice of denying the right to vote to California's approximately 100,000 ex-felons. Named as respondents in the action are Secretary of State Brown and the 58 California County clerks. Petitioners are three disenfranchised ex-felons and four organizations concerned with voting rights.

Six years ago, the California Supreme Court decided that only those persons convicted of crimes which threatened the purity of the ballot box could be denied the right to vote. However, no guidelines were established to tell registrars which ones are eligible and which ones are not. As a result, the decision has been interpreted by each of the 58 county registrars of voters based on his own individual moral code. A recent survey by the California Secretary of State showed that due to the hodge-podge of practices by county registrars practically no two counties have made a like application of the decision. For example, San Diego County will register a person convicted of first degree murder but not one convicted of non-support. Los Angeles County will not register one whose crime was statutory rape but will register one who is guilty of forcible rape.

The peittion asks for a writ of mandate commanding respondents to register to vote all ex-felons whose terms of incarceration and parole have expired and who upon application demonstrate that they are otherwise fully qualified to vote.

ALCALA v. HODGSON

Seven Mexican-American farm workers from Sonoma, Yolo, Lake, Butte and Imperial Counties brought suit against the State of California and the participating 26 California Counties to impose an immediate freeze on hiring under the Emergency Employment Act.

The purpose of this act, passed this summer, is to provide Federal government money to establish State and County positions for those seeking employment. The Act, as well as the Department of Labor Regulations, specifically established eight employment priority groups such as veterans, migrants, people with limited English speaking abilities, welfare recipients, and persons displaced due to technological change. Although the plaintiffs fall within at least 4 of the 8 priority groups and therefore should be the first hired, they have been rendered ineligible for most of the 2100 jobs for which the Federal government provided the State $18 million.

After the case was filed the attorneys for the State agreed to freeze all further hiring in the State agencies participating in the program until further hearing.

After extensive negotiations and discussions the parties were able to reach an agreement. Specifically the agreement provides that:

Further hiring for the 26 rural counties and the 22 state colleges and universities will proceed in stages, with each county and each school initially hiring only 20% of the jobs still to be filled. (About 70% of the 750 jobs remain to be filled, and about 50% of the 326 school positions are still open.) At the end of the first 20%, the Department of Labor will review the hiring to insure that appropriate numbers of migrant farm workers have received jobs. If the number of migrants hired is satisfactory, then--and only then-- the next 20% of the jobs will be filled. The same procedure--filling jobs at 20% increments--will be followed until hiring is completed.

Hiring for the 1100 state agency jobs will follow the same procedure as in the counties and schools, except that the stages will be at 1/3 rather than 20%. (None of the jobs in state agencies have been filled yet.)

Recruitment procedures specially designed to bring Spanish-speaking farm workers into the program will be instituted, including (a) use of Spanish-speaking job interviewers; (b) use of Spanish-speaking outreach personnel to go into migrant areas and recruit persons for the program; (c) use of Spanish-language radio, TV, and newspapers to advertise the program; and (d) availability of bilingual persons to assist Spanish-speaking applicants in completing job application forms.

Prior to any further hiring, the U.S. Department of Labor will undertake a complete review of all job duty statements and qualifications for the purpose of insuring (1) that the program offers sufficient numbers of jobs within the skill levels of migrant farm workers, and (2) that artificial barriers to employment--such as education and experience requirements-- are eliminated.

Ruiz v. State Board of Education

Class action brought to stop all group I.Q. testing of Chicano students. These tests, designed with reference to middle class white cultural norms, have no validity as a measure of plaintiffs' ability to learn as plaintiffs come from Spanish-speaking homes with distinctly different cultural backgrounds. Nevertheless, the I.Q. scores plaintiffs receive are placed in their permanent cumulative school records and are relied upon by teachers, counselors, and school administrators to develop low ability expectations for them and to track, teach, place, evaluate and encourage them accordingly.

The affidavit of the Superintendent of Delano Union High School is particularly interesting:

"Before coming to Delano my teaching experience was limited to working with lower-middle class Anglo-Americans with the exception of some seven American Indian children. I belonged to that school of educators for whom the 'I.Q. score' was all important, revealing and unchangable."

"Over the past twenty-five years, I have experienced a radical change in my feelings and point of view regarding school testing. As I first began to come face to face with the learning problems experienced by youngsters having language barriers as well as cultural and environmental differences when compared to traditional middle class mores I was shocked at the injustices that were in many instances being unconsciously invoked upon them. Teachers, in all good conscience, coming from a 'Puritan ethic' value culture and being taught in professional courses to respect the almost infallibility of the I.Q. score as a predictor of school success would immediately attach labels. So we have the 'genius', the fast learner, the accelerated program, the average, the slow learner, the mentally retarded, etc. The most tragic effect of this 'labelling' was the fact that it, more often than not, reflected the teacher's expectation from the learner - how she valued him as a person, what she expected from him, to what extent she tried to help him, and how she went about it."

DYKSTRA v. CARLESON

As part of the "Welfare Reform Act of 1971," the California legislature enacted a provision that made the adult children of Old Age Security recipients liable for onerous monthly payments because their parents receive welfare. The amount of payments assessed by the Welfare Department was based on the adult child's income, not the amount of the grant received; thus many people were forced to pay more than their parents actually received. These provisions were enforced by the Welfare Department in a manner calculated to turn adult children against their elderly parents. For example, letters from the Fresno County Welfare Department to adult children state: "Your liability exceeds your parent's needs [i.e., grant] under the Old Age Security standard of assistance. Accordingly, you may wish to discuss with your parents his withdrawal from the Old Age Security program."

The illegality and inhumanity of the operation of these "Relative Responsibility Provisions" is graphically illustrated by their effect upon the named petitioners in this action. Petitioner Ila Huntley is an 88 year old widow who lives in San Joaquin County. Her late husband worked all his life. She went on welfare only after turning 65 and only when her husband, a ditch tender, died, and she could no longer support herself. Her son is 60 years old, and has been ordered to pay the Welfare Department $70 per month. He lives on a modest income with his 67 year old wife. They are trying to save some money for their own imminent retirement. He cannot provide for his own family and at the same time pay such a large sum to the county each month.

This action, for declaratory and injunctive relief, was filed in the Sacramento Superior Court which issued a state-wide temporary restraining order. The State refused to obey the order, but instead sought a writ of prohibition from the Court of Appeals. That Court issued an order to show cause and suspended all proceedings below until January 19, 1972, the date set for a hearing on the order to show cause.

A petition for extraordinary relief in the nature of mandamus has been filed in the California Supreme Court, asking that Court to take jurisdiction of the entire matter.

QUINONES v. S & K CHEVROLET

This is an action brought by the registered owner and the beneficial user of an automobile which has been unconstitutionally detained by defendant garage since August 20, 1971, to secure payment for unauthorized repairs and parts. The California Garageman's Lien Law gives absolute and unfettered power to the garageman to summarily seize his customer's automobile even if such repairs or parts were not authorized. The owners must pay or lose the use of their vehicle when it is detained or sold by the garageman. There is no provision in the law for a hearing on the validity of the amount demanded by the garageman and the lien is valid despity any meritorious defenses the vehicle owner may have. This action is brought to enjoin defendants to return possession of the automobile to plaintiffs, to enjoin defendants from selling or removing the automobile from Solano County, to declare that such garageman's liens are unconstitutional as a violation of due process of law, and to recover damages from defendants for plaintiffs' loss of use of the automobile during its detention by defendants.

EARLS v. SUPERIOR COURT OF SAN LUIS OBISPO COUNTY

Mrs. Earls, who is a welfare recipient, was denied leave to file a petition for the dissolution of her marriage without the payment of fees. Her affidavit submitted to the court showed that the only income she received, for the support of herself and her four children, was an AFDC grant in the amount of $263 per month. Her affidavit also showed that every cent of the grant was spent on necessities of life, e.g., rent, food, clothing, household items, etc. The court nevertheless denied her petition, relying on the testimony of a welfare investigator that since Mrs. Earls was able to

purchase $126's worth of food stamps for $74, the $52 difference was a "hidden asset" available to defray the expenses for household items and incidentals, leaving over a balance for filing fees. The Superior Court found that Mrs. Earls was capable of "setting aside at least $10 a month for a period of four or five months to obtain her fees and costs."

Of course, the use of food stamps for non-food items is prohibited by federal law. The County suggested, however, that the court take judicial notice of the illegal use of food stamps in San Luis Obispo County for non-food items!

A petition for a writ of mandate was denied by the Court of Appeals, and the California Supreme Court granted a hearing. The Supreme Court in a unanimous opinion, issued a writ of mandate compelling the San Luis Obispo Superior Court to grant Mrs. Earles' motion to file a petition for dissolution of marriage without the payment of a filing fee. The Supreme Court did not like the District Attorney's argument:

"[The District Attorney's] only response to the obvious impropriety of considering food stamps as an asset redeemable for prohibited items is the astonishing suggestion that petitioner, by deliberately committing the crime of misusing food stamps could accomplish the payment of her filing fee. We are dismayed that a public official would advance a proposition so palpably devoid of merit."

The court also establishes some ground rules for motions to proceed in forma pauperis:

> "We indicate for the future guidance of trial courts that whenever a motion to proceed in forma pauperis is supported by an affidavit sufficient on its face to show indigency the court must grant the motion unless it has good reason to doubt the truthfulness of the factual allegations in the affidavit, and in that event it may decide the matter on conflicting affidavits, or in unusual circumstances order a hearing for the purpose of inquiring into the matter."

Garcia, et al. v. Brown

Several registered Chicano voters from the East Los Angeles area, and a registered Chicano voter from the South Santa Clara-Hollister area intervened in the Secretary of State's suit against Reagan involving the 1971 Reapportionment Plan. In Brown's suit, he had asked the court to validate the Legislature's Reapportionment Plan, even if the Governor should veto it (which he subsequently did). Our suit in intervention named Brown as the respondent, and asked that the Legislature's plan be found unconstitutional because of the Legislature's discrimination against Mexican American voters in California. The discrimination complained of is most graphically illustrated in the reapportionment districts in the East Los Angeles area. The geographically compact, heavily populated Chicano area of East Los Angeles was carved up into eight assembly districts, four Senate districts, and six Congressional districts. The Legislature virtually insured that no incumbent could be defeated by a Chicano, by limiting the Chicano registration in each of these districts to no more than 25% of the registered voters. The Petition in Intervention alleged that this discriminatory treatment violates both the California and U.S. Constitution.

Unfortunately, our position was not considered. The Supreme Court declined to consider our contentions at this time and gave the Legislature another chance to reapportion itself. Since the Governor had vetoed the Reapportionment Plan, there is, of course, no valid redistricting. The Court ordered that 1972 elections for the State Assembly and Senate would be conducted on the basis of the old districts. However, since California

is entitled to five more Congressmen it ordered the Legislature's Reapportionment Plan as to Congressional Districts implemented for the 1972 election only. (Gilroy, Sacramento, MALDEF, Beverly Hills Bar Foundation, Lawyers Committee for Civil Rights Under Law)

Available: Petition in Intervention and Points & Authorities in Support Thereof. A copy of the Supreme Court Opinion has been sent to each office.

O'NEILL, et al. v. RICHARD J. LONG, individually and in his capacity as Chief of Police of the City of Santa Maria, et al.

The Santa Maria Chief of Police, who runs the city jail, has imposed some rather incredible regulations which apply only to persons awaiting trial. Unsentenced prisoners, who are in the jail only because they cannot make bail, are refused visitors--while sentenced prisoners are allowed visitors twice a week. The jail refused to mail letters from these prisoners, but, after the letters are censored, the intended recipient is telephoned and told he can pick up the communication at the city jail. Additionally, these prisoners are allowed no reading matter whatsoever except for a Bible; there is no exercise or recreation allowed. This class action has been filed on behalf of all those who are imprisoned in the city jail while awaiting a preliminary hearing or trial because they are unable to post bail.

A preliminary injunction was issued on December 1st. The federal district judge found that this is a valid class action and ordered that:

1. Plaintiffs and their class be permitted a minimum exercise period of three hours a day outside their cells;

2. Plaintiffs and members of the class shall be supplied with writing materials and reasonable periods of time to write letters. An arrestee may be required to pay for the postage if he has funds, and no more than four letters per week may be mailed at city expense by any one arrestee;

3. Any letters written by an arrestee to any court or attorney shall be promptly mailed without prior reading thereof but subject to inspection for contraband in the arrestee's presence;

4. Any letter written by an arrestee shall be promptly mailed after reading and inspection;

5. Incoming mail from attorneys and courts addressed to an arrestee shall be promptly delivered without prior reading or censorship, but subject to inspection for contraband in the arrestee's presence;

6. All other incoming mail addressed to an arrestee shall be promptly delivered after prior reading and inspection;

7. All signs communicating to the public that visitation to an arrestee is prohibited or only allowed under conditions inconsistent with this order shall be removed immediately from within the Santa Maria jail.

The court further ordered that Defendant prepare a set of regulations to be used in the administration of the Santa Maria City Jail, not inconsistent with this order, and that an original and copy must be filed with the court, together with Defendant's certification that he has directed his agents and employees to be governed by said regulations, not later than January 3, 1972. (Santa Maria)

Available: Complaint for Declaratory and Injunctive Relief; Brief in Support of TRO and OSC; OSC and TRO; and Order Shortening Time for Taking of Depositions; Preliminary Injunction.

Nunez, et al. v. State of California, et al.

This is a class action brought on behalf of all those persons who have signed confessions of judgment in favor of H.P. Sears & Co., a collection agency located in Bakersfield. The action also names as defendants the State of California, which created and defined the procedural incidents of confessions of judgment by collection agencies.

The complaint alleges that defendant collection agency never advised those signing confessions of what they were signing, or what the legal effects would be. One of the plaintiffs, for example, speaks only Greek. The collection agency called her a lot about debts which had been incurred by her husband after their separation--debts for which she is not liable under California law. Nevertheless, she was persuaded to sign a confession.

The action claims that the confession of judgment procedure violates the due process clause of the U.S. and California Constitutions since persons signing such confessions are deprived of notice and an opportunity to be heard. Additionally, it is claimed that H.P. Sears & Co. violated several provisions of the Truth-in-Lending Act. (Greater Bakersfield Legal Assistance-McFarland-Back Up Center)

Available: Petition for Writs of Mandate and Complaint for Declaratory and Injunctive Relief; Points & Authorities in Support of Application for Class Temporary Restraining Order (the TRO is still under submission).

BI-LINGUAL BROADCASTING FOUNDATION, INC.

The operation and control of the broadcast media in Northern California has followed the same pattern evident across the United States. Out of 7,500 broadcast licenses issued in this country, minority groups own less than a dozen. The media has excluded ethnic minorities not typical of the mainstream of the American way of life and in Northern California the excluded ethnic minority has been the Chicano.

To Chicano residents in Sonoma, Napa, Lake, and Mendocino Counties, the availability of media to Chicano residents is non-existent. In Sonoma, for example, there are 3 AM stations, 1 FM station, and one TV station. All are completely divorced from Chicano interests and only token air time for Chicano programming has been provided.

This exclusion denies Chicanos the right to use the media as an educational tool--a tool to educate their children not only in skills that they need to survive but also in the wealth of their history. There is a general lack of Chicano expression in the media other than in derogatory characters like the Frito Bandito; the Anglo population is insulated from the presence of the Chicano population and their problems; the Chicanos are denied an effective voice concerning crucial public issues; and Chicanos are denied access to public information on matters of daily concern which are easily communicated to the rest of the population.

Bi-Lingual Broadcasting Foundation, Inc. Continued

In 1971 Guido Del Prade (a student), Al Moreno, Gil Dorame, and other members of the community formed the Bi-Lingual Broadcasting Foundation, Inc., in an attempt to establish the first bi-lingual, bi-cultural educational FM radio station owned and controlled by Chicanos for Chicanos in the country. The Board of Directors is composed of 3 Chicano educators, 3 students, 3 community representatives, and 2 Anglo educators--individuals of diverse interests with one thing in common, an awareness of the need for Chicano involvement in the media.

The area that the station will serve is located about 100 or 200 miles north of San Francisco. The total population of the area is 350,000, 12% are Chicanos. The influence of the Chicano community is evident everywhere, particularly in the schools were approximately 20,000 Chicanos are enrolled. 90% of the population is employed in farm work. Most of the families have settled there in the past 10 years and do not speak English.

The Bi-Lingual Broadcasting Foundation, Inc., (BBFI) was formed to provide media voice to Spanish-speaking residents in this Northern California area and intends to direct itself to the farmworker and the Chicano youth. It is BBFI's intention to promote tolerance and understanding among English and Spanish-speaking cultures by providing traditional and innovative programming in Spanish and English.

Community involvement is recognized as the essential element to the success of BBFI. The key in involving the community and accomplishing its stated objectives will be the type of programming presented by the station. After conducting a preliminary investigation to discover the Chicano community's interests and desires, the following program outline was developed:

1) News: Provide the Chicano population news coverage of local, national and international affairs in Spanish. The local news coverage and comments will be presented in such a way as to encourage Chicanos to participate more fully in local government and other public service agencies.

2) Novela: (Serial of Cultural Heroes) Chicano youth will develop and present programs of heroes of Mexican descent from Mexico and the U.S. The stories will emphasize cultural heritage and survey of the historical development and migration of Mexican people in the U.S.

3) Experimental Program for Pre-School Chicano Youth: Programs will be pre-recorded and geared toward training techers and auxiliary school personnel in methods and systems compatible with the cultural framework of local Chicano students.

4) Experimental Programs for Elementary Chicano Youths: Pre-recording and actual recordings of bi-lingual, bi-cultural classes. These tapes will be played on the air and commented by the children and educators.

5) Medical Services by Radio: In the Northern counties, there are very few doctors. They do not provide low-cost medical services to the Chicano and the majority refuse to accept Medi-Care and Medi-Cal cards. In an effort to alleviate this problem we are developing programming to involve and inform Chicano women of trends in pre-natal health care, availability of medical facilities and low cost nutritional and dietary practices.

6) Chicano Youth and Government: A program is being developed to provide citizenship classes for adults and youths, followed by an extensive campaign aimed at getting the 18 year old Chicano to register. To emphasize the importance of registration, panel discussions on political participation will be presented by youths from MAYO, MECHA, and La Raza Unida.

7) Chicano Youth and the Law: Spanish-speaking lawyers are developing a program that will inform the community, especially the youth, of their legal rights.

In mid-March Guido del Prado, Ernest Martinez and Gil Dorame met with the staff of the Robert F. Kennedy Memorial Foundation in Washington, D.C., to discuss plans for the station. They also had lunch at Hickory Hill with Ethel Kennedy and other members of the Kennedy family, Roger Mudd, and Dolores Huerta. Following lengthy meetings with officials from OEO and HEW, 4.9 acres of surplus government land were pledged to the Foundation by HEW, and it is anticipated that funds will be forthcoming from OEO. The land was officially deeded over to BBFI in a ceremony on April 3, 1972.

The estimated cost of the station is about $40,000. Since the radio idea was first conceived in July 1971, Guido del Prado has received a two year Robert F. Kennedy Fellowship (one of 24 awarded annually), Channel 6 Cablevision agreed to share their transmitting facility on Mt. St. Helena, and Clarence Heller, a San Francisco philanthropist, pledged $2,500.

An application is being submitted to the FCC for a station which BBFI hopes will receive the call letters KBBF. BBFI hopes to begin broadcasting 7 days a week from 7 a.m. to 9 p.m. this fall.

THE "FELIX PROGRAM"

BACKGROUND

The availability of housing to the low-income residents in Sonoma County has long been a problem. Not until 1967 did Felix Cruz and other members of the community form a Self-Help Housing organization in an attempt to develop a solution. Over a period of a year and a half the membership in the group dropped from nearly 65 members to under 10. However, even this small group was able to develop plans for homes and an application was made to the Farmers Home Administration (FmHA) for a group loan. While waiting for the funds with which to construct the homes, dissension within the Self-Help Housing group resulted in Felix being asked to leave the organization. Left without hope of building a home for his family of eight, Felix took the plans for his house and the application form into the FmHA office. Felix went to the FmHA office not to apply for a loan, but merely to explain that he was no longer in the group and to deliver the plans.

This trip to FmHA proved to be the first step in a solution of many of the residents' housing problems. The Supervisor explained to Felix that to obtain a loan for his home and the land it was not necessary that he be a member of the group. All he need do was find a contractor and FmHA would approve the plans that Felix had put together when part of the group. Felix then turned to the Yellow Pages and called the first contractor listed. Together they went to the FmHA office and Felix received a check for the lot and house -- a loan at 1% interest.

At this time the Self-Help Housing group had received their group loan and had been working for some time on construction. The houses were nearly half completed when the contractor began construction of the Cruz home. In six weeks the Cruz family, 8 strong, moved from their one bedroom rented shack into their own new home.

Soon after, Felix was inundated with astonished inquiries as to how he had done it. His home had become an advertisement to the whole community -- an example of making the system work. At this time Felix was working part-time for CRLA. He worked from his home

helping other community members by explaining what they could do to secure a home of their own. Admittedly, because Felix had "stumbled" upon a different FmHA program, he was not knowledgable about all necessary procedures as yet. However, CRLA ran a small ad in the local paper saying that he was available at the office to assist low-income persons with their housing problems. The day the article ran in the paper a total of 125 calls were recorded. The "Felix program" so gained its momentum, and Felix rapidly acquired the necessary knowledge to give thorough advice to the clients.

Since the Cruz home was completed in October 1969, over 100 houses have been built and 65 or 70 applications are pending. Most of the families had been living in ranch owned housing. To these people the new homes represent freedom. They can now work where they want without fear of eviction and the extreme hardships of finding adequate housing for their families. Furthermore, the community members have a choice between the "Felix program" which can provide a house in 6 weeks through a contractor or the Self-Help Housing program which takes longer but costs somewhat less.

THE 502 PROGRAM

Felix, now a full time Community Worker, handles applications from the CRLA office. When a person seeking housing comes to the office he takes him around the area to see the various styles of homes which are located in "Felix subdivision" areas or throughout the community. There are now 5 contractors, each offering 2 or 3 different home styles (which meet FmHA specifications), participating in the "Felix program". Thus, the clients can "pick out" the house they like. Felix explains to the clients the 3 month option they must make on the lots, and how to complete the applications which include the house plans. He tells the clients that there are certain restrictions that FmHA places on the houses, such as the maximum size of the rooms, and that the number of bedrooms which FmHA will approve is determined not only by the size of the family but also by the age and sex of the children. He further explains that lots can be no larger than an acre and can cost no more than $5,000. Felix advises the clients that FmHA has a committee of 3 non-FmHA people who review the applications -- a banker, a businessman, and a grower. While the clients' income level normally must be under $7,000 to qualify for a FmHA 1% loan, each application is reviewed individually and family size, debts, etc., are taken into account when the committee determines eligibility.

The "Felix program" has seen its share of difficulties. At one time the FmHA office began denying welfare recipients' applications for loans. However, after a trip to Berkeley where Felix saw the FmHA Northern California Regional Director and a few stern words were directed at the local office, the FmHA again began approving such applications. Furthermore, the banking institutions are obviously not entirely enthusiastic about the program. They observe house after house being constructed without any realization of the usual 7-1/2% interest they would normally accrue.

RURAL RENTAL HOUSING

The housing problem, of course, is not limited to those who want to build their own homes. Many community people wish to rent. However, there is no available rental housing program to meet these needs and the condition of the available private rental units is often less than acceptable and, at times, is abominable. At the suggestion of the Directing Attorney, Felix went to the FmHA to determine the possibility of obtaining a low interest loan for the construction of rental units. The idea was met with enthusiasm at the FmHA office. The Supervisor explained that there was over $170,000 available at the FmHA office for such a program. All that was needed were the appropriate plans, a land

option, and an application from a non-profit corporation. The FmHA Supervisor further suggested that perhaps a small business application could also be submitted for a shopping center in conjunction with the rental housing units. At this date, twenty three acres have been located for the Rural Rental Housing program and Felix hopes that within 3 months the complete application will be submitted.

FUTURE PLANS

While Felix forsees the continuance of the "Felix program" (502 program) in the future, he anticipates a problem within a few years with regard to locating land at the $5,000 value limitation set by FmHA. Because a dam is being constructed in the area, Felix is concerned not only with the normal rise in land values but also the probable arrival of developers and the common result in spiraling land appreciation.

On the bright side, however, Felix is quick to note the prospects for utilizing the 502 program in the rest of California and, indeed, throughout the country.

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